

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NAOMI SUE WHITE EAGLE,  
(a.k.a. LOWELL LOWE),

Plaintiff,

vs.

ELDON VAIL, RUBIN CEDENO,  
JEFFREY UTTECHT, STEVEN  
FLEENOR and CHERI STERLIN,

Defendants.

NO. CV-08-5071-CI

ORDER DISMISSING COMPLAINT WITHOUT  
PREJUDICE AND DIRECTING THAT  
COLLECTION OF THE FILING FEE CEASE

BEFORE THE COURT is Plaintiff Naomi Sue White Eagle's (a.k.a. Lowell Lowe) Motion to Voluntarily Dismiss Complaint pursuant to Fed. R. Civ. P. 41(a). Defendants have not been served in this action. Accordingly, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 16) is **GRANTED** and the Complaint is **DISMISSED WITHOUT PREJUDICE**.

Plaintiff also filed a Motion and Affidavit to waive collection of the remaining balance of the filing fee in this action. For good cause shown, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 18) is **GRANTED** and the institution having custody of Naomi Sue White Eagle (a.k.a. Lowell Lowe) shall cease collection of the filing fee in this action, cause number **CV-08-5071-CI**.

The District Court Executive is directed to enter this Order,  
ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE AND DIRECTING THAT  
COLLECTION OF THE FILING FEE CEASE -- 1

1 enter judgment of dismissal without prejudice, forward a copy to  
2 Plaintiff and close the file. The District Court Executive is further  
3 directed to send a copy of this Order to the Office of the **Department**  
4 **of Corrections, Attn: LFO/COS UNIT, P.O. Box 41107, Olympia, WA**  
5 **98504-1107**, to forward to the appropriate agency having custody of  
6 Plaintiff. The District Court Executive also **shall** provide a copy of  
7 this Order to the Financial Administrator for the United States  
8 District Court, Eastern District of Washington.

9 DATED February 9, 2009.

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11 S/ CYNTHIA IMBROGNO  
12 UNITED STATES MAGISTRATE JUDGE  
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28 ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE AND DIRECTING THAT  
COLLECTION OF THE FILING FEE CEASE -- 2